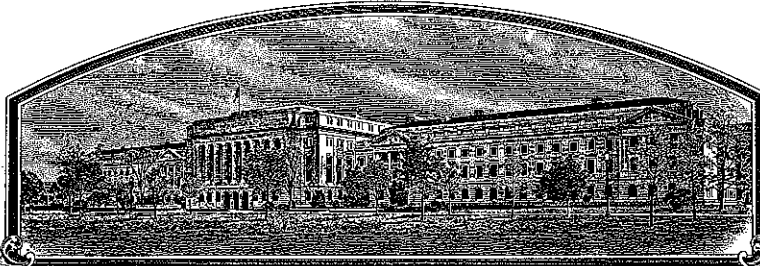


No.

200500060



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pure Seed Testing, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMERICAL GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BENTGRASS, CREEPING

'Penneagle II'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this fourteenth day of February, in the year two thousand and six.

Attest:

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

Secretary of Agriculture



U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and The Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

1. NAME OF OWNER <b>Pure Seed Testing, Inc.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>PST-OPN</b>	3. VARIETY NAME <b>Penneagle II</b>
4. ADDRESS (Street and No., or RFD No., City, State, and ZIP Code, and Country) <b>PO Box 449 Hubbard, OR 97032</b>		5. TELEPHONE (include area code) <b>503-263-0719</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <b>200500060</b>
		6. FAX (include area code) <b>503-263-0703</b>	FILING DATE <b>Dec. 27, 2004</b>
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation</b>	8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>Oregon</b>	9. DATE OF INCORPORATION <b>03 June 1974</b>	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)			FILING AND EXAMINATION FEES: \$ <b>3652.00</b> DATE <b>12/27/04</b> CERTIFICATION FEE: \$ <b>768.00</b> DATE <b>1/18/06</b>
Melodee Fraser, Ph.D. PO Box 176 Rolesville, NC 27571		Crystal Rose-Fricker PO Box 449 Hubbard, OR 97032	

11. TELEPHONE (Include area code) <b>919-556-0146</b>	12. FAX (Include area code) <b>919-556-0174</b>	13. E-MAIL <b>mlkfraser@aol.com</b>
14. CROP KIND (Common Name) <b>creeping bentgrass</b>	16. FAMILY NAME (Botanical) <b>Gramineae</b>	18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
15. GENUS & SPECIES NAME OF CROP <b>Agrostis stolonifera</b>	17. IS THE VARIETY A FIRST GENERATION HYBRID? <b>No</b>	IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety		<input checked="" type="checkbox"/> YES (If "yes," answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no," go to item 23)
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES?
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)		IF YES, WHICH CLASSES? <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership		22. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS?
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
g. <input checked="" type="checkbox"/> Filing and Examination fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		IF YES, SPECIFY THE NUMBER 1, 2, 3, etc. FOR EACH CLASS. <b>1 FOUNDATION 6 REGISTERED 7 CERTIFIED</b> (If additional explanation is necessary, please use the space indicated on the reverse.)
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)

25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF OWNER <i>Melodee L. Fraser</i>		SIGNATURE OF OWNER <i>Crystal A. Rose-Fricker</i>	
NAME (Please print or type) <b>Melodee L. Fraser</b>		NAME (Please print or type) <b>Crystal A. Rose-Fricker</b>	
CAPACITY OR TITLE <b>Director of Research - East</b>	DATE <b>12/15/04</b>	CAPACITY OR TITLE <b>President</b>	DATE <b>12/15/04</b>

## INSTRUCTIONS

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the Certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

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To avoid conflict with other variety names in use, the application must check the appropriate recognized authority and provide evidence that name has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, 10301 Baltimore Avenue, Suite 401 NAL Building, Beltsville, MD 20705. Telephone: (301) 504-5682  
<http://www.ams.usda.gov/lsg/seed.htm>.

## ITEM

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified.
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:  
(1) identify these varieties and state all differences objectively;  
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and  
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

First U.S. sale 11 May 2004.

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the applicant/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of Regulations and Rules of Practice.)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14<sup>th</sup> and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**Exhibit A****Origin and Breeding History of 'Penneagle II' Creeping Bentgrass**

Pure Seed Testing, Inc. (PST), Hubbard, OR, developed and released 'Penneagle II' creeping bentgrass. The breeding project to develop an improved cultivar from 'Penneagle' creeping bentgrass was begun during the fall of 1998.

An isolated 2900-plant Penneagle improvement project nursery was established near Hubbard during the fall of 1998. This nursery was comprised primarily of plants from population EF, which selected for early flowering and maturity. Also in this nursery were plants selected from various populations from PST's creeping bentgrass breeding program. Planted throughout this nursery were Penneagle plants selected from a field near Canby, OR. These plants were healthy, bright green and had a high number of reproductive tillers. Each of these 40 Penneagle plants was divided vegetatively into 10 propagules and planted in rows throughout the 2900-plant nursery.

During the spring of 1999, 55 attractive plants were selected from the nursery described above. These plants were moved prior to anthesis into an isolated polycross, designated OPN, near Hubbard. The plants were allowed to interpollinate and seed was subsequently harvested from 52 plants, 23 of which traced maternally to Penneagle.

During the summer of 1999, 41 bright green, healthy plants from the Penneagle improvement project nursery described above were selected after pollination. These plants all were from the EF population and had been pollinated by the Penneagle plants. They were designated PEF. Seed was harvested from each plant and used to establish progeny turf plots in Oregon and New Jersey.

An additional 29 plants from other PST sources that had been pollinated by the Penneagle plants were selected after pollination and seed was harvested from each plant.

This seed was used to establish progeny turf evaluation plots in Oregon and New Jersey. These plants were designated POBR, POV, POVCB and PPEB.

During the fall of 2000, an isolated 2550-plant nursery was established near Hubbard. This nursery was comprised of plants that had been dug from Oregon progeny turf plots that had shown good turf performance from OPN (68%), PEF (12%), POVS (12%), POVCB (4%) and OE (4%). During the spring of 2001, plants were removed from this nursery to increase uniformity of plant type and maturity. Selection criteria for remaining plants were bright green color, low growth habit, medium to fine leaf texture, no visible disease symptoms and a high percentage of reproductive tillers. Remaining plants were allowed to interpollinate and seed was subsequently harvested from 881 plants to produce the first Breeder seed of Penneagle II during the summer of 2001.

The plants that produced the Breeder seed of Penneagle II traced their origins to the following sources: 53% to PST-OPN, of which 44% traced maternally to Penneagle; 23.5% to 'PennLinks' pollinated by Penneagle; 8.5% to Penneagle; 8.5% to PennLinks; 3.5% to 'Penn A-1' pollinated by Penneagle and 3% to 'Seaside II' pollinated by Penneagle.

Seed propagation of Penneagle II is limited to two generations of increase from Breeder seed: one each of Foundation and Certified. Pure Seed Testing, Inc. maintains Breeder seed in Oregon. Penneagle II has shown stability and uniformity through the Certified seed generation. No off-types or variants have been observed in the reproduction or multiplication of Penneagle II creeping bentgrass.

**Exhibit B**  
**Revised August 2005**  
**Statement of Distinctness for 'Penneagle II' Creeping Bentgrass**

'Penneagle II' is most similar to 'Penneagle' and 'PennLinks' creeping bentgrass. Penneagle II and Penneagle differ in the following characteristics:

1. Penneagle II has a mean mature plant height at least 12.1 cm shorter than Penneagle (Tables 1, 2).
2. Penneagle II has a mean unstraightened plant height at least 8.5 cm shorter than Penneagle (Tables 1, 2).
3. Penneagle II has a mean panicle length from tip to bottom branch at least 1.1 cm shorter than Penneagle (Tables 1, 2).
4. Penneagle II has a mean internode length at least 1.8 cm shorter than Penneagle (Tables 1, 2).
5. Penneagle II has a mean subtending leaf ligule length at least 0.4 mm shorter than Penneagle (Tables 1, 2).

Penneagle II can be distinguished from 'PennLinks' by the following characteristics:

1. Penneagle II has a mean mature plant height at least 8.6 cm shorter than PennLinks (Tables 1, 2).
2. Penneagle II has a mean unstraightened plant height at least 5.8 cm shorter than PennLinks (Tables 1, 2).
3. Penneagle II has a mean panicle length from tip to bottom branch at least 0.9 cm shorter than PennLinks (Tables 1, 3).
4. Penneagle II has a mean internode length at least 2.4 cm shorter than PennLinks (Tables 1, 2).
5. Penneagle II has a mean subtending leaf ligule length at least 0.5 mm shorter than PennLinks (Tables 1, 2).
6. Penneagle II has a mean flag leaf length at least 1.5 cm shorter than PennLinks (Tables 1, 2).
7. Penneagle II has a mean flag leaf ligule length at least 0.4 mm shorter than PennLinks (Tables 1, 2).

Penneagle II can be distinguished from 'PennLinks II' by the following characteristics:

1. Penneagle II has a mean unstraightened plant height at least 3.5 cm taller than PennLinks II (Tables 10, 11).
2. Penneagle II has a mean flag leaf width at least 0.4 mm wider than PennLinks (Tables 10, 12).

Table 1. 2002 mean morphological measurements for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

Entry	Plant Height (cm)	Unstraightened Plant Height (cm)	Panicle		Internode Length (cm)	Subtending Leaf		Flag Leaf Length (mm)	Flag Leaf Width (mm)	Whorls/Panicle (#)
			Tip to Bottom Branch (cm)	Bottom Branch (cm)		Length (mm)	Ligule Length (mm)			
Penneagle	66.4	47.3	11.2	35.8	9.0	3.3	3.2	5.5	4.5	7.7
PennLinks	61.3	48.0	10.5	33.1	9.7	3.0	2.8	5.6	3.9	7.0
<b>Penneagle II</b>	<b>52.7</b>	<b>38.8</b>	<b>8.5</b>	<b>30.0</b>	<b>6.7</b>	<b>2.3</b>	<b>2.3</b>	<b>4.1</b>	<b>3.9</b>	<b>7.7</b>
<b>LSD (0.05)</b>	<b>2.8</b>	<b>2.3</b>	<b>0.7</b>	<b>1.7</b>	<b>0.7</b>	<b>0.3</b>	<b>0.3</b>	<b>0.5</b>	<b>0.3</b>	<b>0.4</b>

Table 2. 2003 mean morphological measurements for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

Entry	Plant Height (cm)	Unstraightened Plant Height (cm)	Panicle		Internode Length (cm)	Subtending Leaf		Flag Leaf Length (mm)	Flag Leaf Width (mm)	Whorls/Panicle (#)
			Tip to Bottom Branch (cm)	Bottom Branch (cm)		Length (cm)	Ligule Length (mm)			
Penneagle	61.7	58.8	8.7	26.3	10.7	6.9	2.5	2.3	4.8	6.7
PennLinks	58.2	55.4	8.5	24.4	10.4	8.1	2.6	2.6	6.0	7.1
<b>Penneagle II</b>	<b>49.6</b>	<b>49.6</b>	<b>7.6</b>	<b>24.0</b>	<b>8.9</b>	<b>6.2</b>	<b>2.1</b>	<b>2.2</b>	<b>4.3</b>	<b>6.7</b>
<b>LSD (0.05)</b>	<b>7.4</b>	<b>3.1</b>	<b>0.6</b>	<b>2.4</b>	<b>0.8</b>	<b>0.6</b>	<b>0.3</b>	<b>0.3</b>	<b>0.5</b>	<b>0.5</b>

2005 000 60

Table 10. 2005 mean morphological measurements for entries in a bentgrass seed yield trial seeded fall of 2003 near Hubbard, OR.

<b>Entry</b>	<b>Unstraightened Plant Height (cm)</b>	<b>Flag Leaf Width (mm)</b>
<b>Penneagle II</b>	<b>41.7</b>	<b>2.4</b>
<b>PennLinks II</b>	<b>38.2</b>	<b>1.8</b>
<b>LSD (0.05)</b>	<b>2.9</b>	<b>0.3</b>

Table 11. 2003 mean unstraightened plant heights for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

<b>Entry</b>	<b>Unstraightened Plant Height (cm)</b>
<b>Penneagle II</b>	<b>49.6</b>
<b>PennLinks II</b>	<b>43.5</b>
<b>LSD (0.05)</b>	<b>3.1</b>

Table 12. 2002 mean flag leaf widths for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

<b>Entry</b>	<b>Flag Leaf Width (mm)</b>
<b>Penneagle II</b>	<b>3.9</b>
<b>PennLinks II</b>	<b>3.5</b>
<b>LSD (0.05)</b>	<b>0.3</b>



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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

Exhibit C

200500060

OBJECTIVE DESCRIPTION OF VARIETY  
Bentgrass (*Agrostis* spp.)

NAME OF APPLICANT (S) <b>Pure Seed Testing, Inc.</b>	TEMPORARY OR EXPERIMENTAL DESIGNATION <b>PST-OPN</b>	VARIETY NAME <b>Penneagle II</b>
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) <b>PO Box 449 Hubbard, OR 97032</b>		FOR OFFICIAL USE ONLY PVPO NUMBER <b>200500060</b>

PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal characteristics of this variety in the boxes below. Use leading zeroes when necessary (e.g., 089). Descriptions of the characters should represent those that are typical for the variety. Ranges may be given also. Measured data should be for SPACE PLANTS. Give additional description for all characteristics that cannot be adequately described in the form below. Append all pertinent comparative trial and evaluation data.

COMPARISON VARIETIES FOR USE BELOW

- 1 = Astoria      2 = Exeter      3 = Highland      4 = Seaside      5 = Penncross  
6 = Kingstown      7 = Astra      8 = Other (Please Specify) **Penneagle**

1. SPECIES:

- 1 = Colonial (Browntop) *A. tenuis*      2 = Creeping *A. stolonifera* (*A. palustris*)      3 = Velvet *A. Canina* spp *canina*  
4 = Brown Bent *A. canina* spp *montana*      5 = Red Top *A. gigantea*

2. ADAPTATION: (0 = Not Tested, 1 = Not Adapted, 2 = Adapted)

- Northeast       Southeast       North Central       Pacific Northwest  
 5 = Other (Specify) \_\_\_\_\_

3. MATURITY: (At First Anthesis) Use Comparison Varieties

- Days Earlier Than.....  Comparison Variety  
Maturity the Same As .....  Comparison Variety  
  Days Later Than.....  Comparison Variety

4. HEIGHT: (Average of Longest 10 Shoots from Soil Surface to Top of Head)

- cm Height (at Maturity)        cm Shorter Than.....  Comparison Variety  
Height the Same as.....  Comparison Variety  
  cm Taller Than .....  Comparison Variety

5. GROWTH HABIT: Will send addendum

- % Prostrate       % Decumbent         % Geniculate         % Erect

RAD 8/26/0

## 6. VEGETATIVE REPRODUCTION:

Rhizomes: ☐ 1 = Absent ☐ 2 = PresentStolons: ☐ 1 = Absent ☐ 2 = Present☐ 0 ☐ 0 ☐ 0 % Rhizomes ☐ 1 ☐ 0 ☐ 0 % Stolons

200500060

## 7. LEAF BLADE:

Color: ☐ 5  
1 = Yellowish Green (Cohansey)  
3 = Green (Exeter)  
5 = Bluish Green (Highland)2 = Light Green (Washington)  
4 = Dark Green (Kingstown, Tracenta)  
6 = Other (Please Specify) \_\_\_\_\_Texture: (Finished) ☐ 3  
1 = Very Fine (Kingstown)  
3 = Medium Fine (Astoria)  
5 = Medium Coarse (Virginia)2 = Fine (Exeter)  
4 = Medium (Seaside)  
6 = Coarse (Vermont)☐ ☐ ☐ ☐ Stomatal Density of Upper Leaf Surface **Not taken**Lower Surface: ☐ 1 ☐ 0 ☐ 0 % Smooth ☐ ☐ ☐ % RoughUpper Surface: ☐ 1 ☐ 0 ☐ 0 % Smooth ☐ ☐ ☐ % RoughMargins: ☐ 1 ☐ 0 ☐ 0 % Smooth ☐ ☐ ☐ % Rough☐ 1 ☐ 7 mm Width (Average of 10) ☐ 0 ☐ 2 mm Narrower Than ☐ 8 Comparison VarietyWidth Same as ☐ Comparison Variety☐ mm Wider Than ☐ Comparison Variety☐ 3 ☐ 9 mm Width (Flag Leaves) ☐ 4 ☐ 3 cm Length (Flag Leaves)

## 8. LEAF SHEATH:

Anthocyanin: ☐ 1 1 = Absent 2 = Present ☐ ☐ 0 % Red Sheaths

## 9. LIGULE: (Lower and Middle Leaves)

Shape at Apex: ☐ ☐ ☐ % Acute ☐ ☐ ☐ % Rounded ☐ 1 ☐ 0 ☐ 0 % Truncate☐ ☐ ☐ % Other (Please Specify) \_\_\_\_\_Pubescence: ☐ 1 ☐ 0 ☐ 0 % Glabrous ☐ ☐ ☐ % Pubescent **Will send Addendum**Margins: ☐ 1 ☐ 0 ☐ 0 % Entire ☐ ☐ ☐ % Toothed☐ ☐ ☐ Other (Please Specify) \_\_\_\_\_☐ 2 ☐ 1 mm Length

RAD 8/26/05

## 10. LEMMA:

Shape: ☐ 1 ☐ 0 ☐ 0 % Lanceolate ☐ ☐ ☐ % Ovate☐ ☐ ☐ % Obovate ☐ ☐ ☐ % Elliptic☐ ☐ ☐ % Oblong ☐ ☐ ☐ % Other (Please Specify) \_\_\_\_\_☐ ☐ 45 mm Width ☐ 1 ☐ 2 mm Length (Exclusive of awn)Color: ☐ ☐ ☐ % Buff ☐ 1 ☐ 0 ☐ 0 % Silvery☐ ☐ ☐ % Other (Please Specify) \_\_\_\_\_Surface: ☐ 1 ☐ 0 ☐ 0 % Glossy ☐ ☐ ☐ % DullTexture: ☐ 1 ☐ 0 ☐ 0 % Smooth ☐ ☐ ☐ % PunctatePubescence: ☐ 1 ☐ 0 ☐ 0 % Glabrous ☐ ☐ ☐ % Sparce☐ ☐ ☐ % Copious

## 10. LEMMA: (continued)

Basal Hairs:	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Absent	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Few
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Many	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Short
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Long	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Appressed
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Ascending	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Spreading
Awns:	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Absent	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Few
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Many	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Awn-pointed
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Short	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Long
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Straight	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Geniculate
Awn Insertion On Lemma:	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Basal	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Middle
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Distal		

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## 11. PANICLE:

Type: (in Anthesis):	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Open	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Compact
Anthocyanin:	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Absent	<input type="text" value=""/> <input type="text" value="9"/> <input type="text" value="0"/>	% Present
Branches in Anthesis:	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Appressed	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Ascending
	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Spreading		
Branches in Fruit:	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Appressed	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Ascending
	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Spreading		
Branch Surface:	<input type="text" value=""/> <input type="text" value=""/> <input type="text" value=""/>	% Smooth	<input type="text" value="1"/> <input type="text" value="0"/> <input type="text" value="0"/>	% Scabrous

## 12. SEED:

  Grams per 1000 seeds

## 13. SPRING GREEN UP:

 1 = Early (Exeter) 2 = Medium (Astoria) 3 = Late (Kingstown)

## 14. ENVIRONMENTAL RESISTANCE: (0=Not Tested 1=Susceptible 2=Partial resistance 3=Tolerant 4=Resistant)

 Cold  Heat  Drought  Shade  Other (Please Specify)

## 15. DISEASE RESISTANCE: (0=Not Tested 1=Susceptible 2=Partial resistance 3=Tolerant 4=Resistant)

<input type="text" value="0"/> Red Leaf Spot ( <i>Drechslera erythrospila</i> )	<input type="text" value="2"/> Helminthosporium Leaf Spot ( <i>Bipolaris sorokiniana</i> )
<input type="text" value="0"/> Melting Out ( <i>Drechslera poae</i> ( <i>Helminthosporium vagans</i> ))	<input type="text" value="2"/> Dollar Spot ( <i>Sclerotinia homeocarpa</i> )
<input type="text" value="2"/> Pythium Blight ( <i>P. aphanidermatum</i> )	<input type="text" value="0"/> Pythium Blight ( <i>P. ultimum</i> )
<input type="text" value="0"/> Fusarium Blight ( <i>F. roseum</i> )	<input type="text" value="0"/> Fusarium Blight ( <i>F. tricinctum</i> )
<input type="text" value="2"/> Fusarium Patch (Pink Snow Mold ( <i>F. nivale</i> ))	<input type="text" value="3"/> Powdery Mildew ( <i>Erysiphe graminis</i> )
<input type="text" value="0"/> Ophiobolus Patch ( <i>O. graminis</i> )	<input type="text" value="3"/> Stripe Smut ( <i>Ustilago striiformis</i> )
<input type="text" value="3"/> Copper Spot ( <i>Gloeocercospora sorghi</i> )	<input type="text" value="0"/> Typhula Blight (Snow Scald) ( <i>T. incarnata</i> )
<input type="text" value="0"/> Red Thread ( <i>Corticium fuciforme</i> )	<input type="text" value="2"/> Brown Patch ( <i>Rhizoctonia solani</i> )
<input type="text" value="0"/> Stem Rust ( <i>Puccinia graminis</i> )	<input type="text" value="0"/> Crown Rust ( <i>P. coronata</i> )
<input type="text" value="2"/> Leaf Rust ( <i>P. poae-nemorale</i> )	<input type="text" value=""/> Other (Please Specify) _____

16. INSECT RESISTANCE: (0=Not Tested 1=Susceptible 2=Partial resistance 3=Tolerant 4=Resistant)

0
0
2

European Chafer (*Amphimallon solstitialis*)Chinch Bug (*Blissus insularis*)Armyworm (Cutworm) (*Pseudaletia unipuncta*)

0
2

Garden Chafer (*Phyllopertha horticola*)Webworm (*Crambus* spp.)

Other (Please Specify) \_\_\_\_\_

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17. GIVE VARIETY(S) THAT MOST CLOSELY RESEMBLE THE SUBMITTED VARIETY: For the following characteristics indicate the degree of resemblance (D.R.) with one of the following numbers: 1 = submitted variety is less than, lighter, or inferior to similar variety, 2 = Same as, 3 = More than, darker or superior, etc

CHARACTER	VARIETY		CHARACTER	VARIETY	
Growth Habit	Penneagle	1	Leaf Color	Penneagle	2
Awn Length	Penneagle	3	Panicle Type	Penneagle	2
Seed Weight	Penneagle	1	Turf Fineness	Penneagle	2
Cold Resistance	Penneagle	2	Heat Resistance	Penneagle	2
Drought Resistance	Penneagle	3	Shade Resistance	Penneagle	2
Brown Patch	Penneagle	2			

18. COMMENTS:

**Exhibit D****Additional Description of 'Penneagle II' Creeping Bentgrass**

1. Penneagle II has shown acceptable turf quality and good disease resistance in turf trials in Oregon (Tables 4, 5), North Carolina (Tables 6, 7) and New Jersey (Table 8).

Table 3. Mean initial heading dates for entries in a creeping bentgrass seed yield trial seeded fall of 2001 near Hubbard, OR.

Entry	2002	2003
Independence	08 June	10 June
PennLinks	07 June	07 June
Penneagle	07 June	06 June
<b>Penneagle II</b>	<b>05 June</b>	<b>06 June</b>
Seaside II	31 May	02 June
<b>LSD (0.05)</b>	<b>4 days</b>	<b>4 days</b>

Table 4. 2003 mean Pythium blight and turf quality ratings for entries in a creeping bentgrass turf trial seeded fall of 2002 near Hubbard, OR and maintained at 0.130" mowing height.

Entry	Pythium Blight	Turf Quality				Mean
		Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	
PST-OEB	6.7 <sup>1</sup>	5.3 <sup>2</sup>	6.3	5.7	7.7	6.3
Penn A-4	5.0	4.8	5.8	5.7	7.0	5.8
<b>Penneagle II</b>	<b>6.3</b>	<b>5.5</b>	<b>5.2</b>	<b>6.0</b>	<b>5.7</b>	<b>5.6</b>
Penneagle	4.7	4.3	5.2	5.7	6.7	5.5
PennLinks	5.0	4.7	5.2	5.0	6.7	5.4
Penncross	3.7	4.0	5.2	5.3	6.3	5.2
Seaside II	3.3	3.5	4.0	5.3	6.7	4.9
<b>LSD (0.05)</b>	<b>1.1</b>	<b>1.2</b>	<b>1.1</b>	<b>1.3</b>	<b>1.5</b>	<b>0.8</b>

<sup>1</sup>9 = no disease; <sup>2</sup>9 = ideal

Table 5. Mean turf quality ratings for entries in a creeping bentgrass turf trial seeded fall of 2001 near Hubbard, OR and maintained at 0.5" mowing height.

Entry	2002	2003	Mean
PST-OEB	6.0 <sup>1</sup>	5.2	5.6
<b>Penneagle II</b>	<b>5.6</b>	<b>4.9</b>	<b>5.3</b>
Penncross	4.8	5.3	5.0
Seaside II	4.7	5.1	4.9
Penneagle	4.7	4.9	4.8
PennLinks	4.7	4.8	4.8
Penn A-4	4.7	4.7	4.7
Providence	4.0	4.8	4.4
<b>LSD (0.05)</b>	<b>0.6</b>	<b>0.6</b>	<b>0.5</b>

<sup>1</sup>9 = ideal

Table 6. Mean brown patch, copper spot and turf quality ratings for entries in a bentgrass turf trial seeded fall of 2001 near Rolesville, NC and maintained at 0.130" mowing height.

Entry	Brown Patch			Copper Spot 2002	Turf Quality		
	2002	2003	Mean		2002	2003	Mean
Penn A-4	7.0 <sup>1</sup>	4.3	5.7	6.3 <sup>1</sup>	5.9 <sup>2</sup>	6.5	6.2
Penneagle	6.0	3.8	4.9	7.3	4.6	5.2	4.9
Seaside II	5.3	2.8	4.1	6.3	4.8	4.3	4.5
<b>Penneagle II</b>	<b>6.7</b>	<b>4.0</b>	<b>5.3</b>	<b>7.7</b>	<b>4.3</b>	<b>4.1</b>	<b>4.2</b>
PennLinks	6.0	4.6	5.3	7.0	3.9	4.2	4.1
Penncross	5.7	4.2	4.9	8.3	3.8	4.0	3.9
<b>LSD (0.05)</b>	<b>1.9</b>	<b>1.2</b>	<b>1.2</b>	<b>1.8</b>	<b>0.9</b>	<b>0.9</b>	<b>0.8</b>

<sup>1</sup>9 = no disease; <sup>2</sup>9 = ideal

Table 7. 2003 mean dollar spot, brown patch and turf quality ratings for entries in a creeping bentgrass turf trial seeded fall of 2002 near Rolesville, NC and maintained at 0.5" mowing height.

Entry	Dollar Spot	Brown Patch	Turf Quality				Mean
			Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	
Penn A-1	5.8 <sup>1</sup>	7.0 <sup>1</sup>	4.7 <sup>2</sup>	6.3	4.7	2.0	4.4
<b>Penneagle II</b>	<b>4.7</b>	<b>7.7</b>	<b>4.7</b>	<b>6.1</b>	<b>3.7</b>	<b>2.3</b>	<b>4.2</b>
Penneagle	3.7	6.0	5.0	5.5	4.0	2.0	4.1
PennLinks	5.0	6.0	5.0	5.1	3.7	2.7	4.1
Penn A-4	3.5	7.3	5.0	5.5	3.3	1.7	3.9
Seaside II	4.2	6.0	5.3	4.7	3.7	2.0	3.9
Penncross	3.7	4.7	5.2	4.7	3.0	2.3	3.8
SR 1119	2.5	8.0	4.7	5.2	2.3	3.0	3.8
<b>LSD (0.05)</b>	<b>1.4</b>	<b>2.4</b>	<b>1.1</b>	<b>0.8</b>	<b>1.4</b>	<b>1.5</b>	<b>0.6</b>

<sup>1</sup>9 = no disease; <sup>2</sup>9 = ideal

Table 8. Performance of creeping bentgrass cultivars and selections in a putting green trial seeded in September 2001 at North Brunswick, NJ.

Entry	Turf Quality 2002 Avg	Est. Sep 2001	Pink Snow Mold 2001 Avg	Dollar Spot 2002 Avg	Brown Patch 2002 Avg
C953	7.6 <sup>1</sup>	4.3 <sup>2</sup>	7.2 <sup>3</sup>	6.8 <sup>3</sup>	5.8 <sup>3</sup>
<b>Penneagle II</b>	<b>5.7</b>	<b>6.3</b>	<b>7.5</b>	<b>6.8</b>	<b>6.3</b>
Penn A-4	5.5	8.7	8.2	5.0	5.3
Penneagle	4.2	8.7	7.2	6.8	5.4
Seaside II	4.0	8.7	7.5	7.6	5.5
PennLinks	3.7	8.0	7.7	7.6	6.2
Penncross	3.0	8.0	7.7	7.8	6.6
Pick CB6.94.01	2.8	6.0	6.5	8.0	7.6
<b>LSD (0.05)</b>	<b>0.7</b>	<b>1.4</b>	<b>1.4</b>	<b>1.4</b>	<b>1.3</b>

<sup>1</sup>9 = ideal; <sup>2</sup>9 = 100% established; <sup>3</sup>9 = no disease

Table 9. 2003 mean germination rates 14 and 30 days after seeding (DAS) bentgrass entries at 0 or 8000 ppm NaCl in a greenhouse water bath trial in Rolesville, NC.

Entry	14 DAS			30 DAS		
	% Germ Control	% Germ Salt	Difference	% Germ Control	% Germ Salt	Difference
Penn A-1	27	52	25	27	73	46
<b>Penneagle II</b>	<b>35</b>	<b>15</b>	<b>-20</b>	<b>42</b>	<b>49</b>	<b>7</b>
Penncross	40	19	-21	40	38	-2
Penn A-4	58	36	-22	68	57	-11
Seaside	2	1	-1	64	51	-13
Seaside II	61	19	-42	72	53	-19
Penneagle	51	20	-31	63	36	-27
PennLinks	62	16	-46	72	38	-34
SR 1119	71	38	-33	61	25	-36
<b>LSD (0.05)</b>	<b>22.7</b>	<b>21.0</b>	<b>27.5</b>	<b>28.6</b>	<b>18.9</b>	<b>32.3</b>

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

### EXHIBIT E

#### STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S)  <b>Pure Seed Testing, Inc.</b>	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  <b>PST-OPN</b>	3. VARIETY NAME  <b>Penneagle II</b>
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>PO Box 449 Hubbard, OR 97032</b>	5. TELEPHONE (include area code)  <b>503-263-0719</b>	6. FAX (include area code)  <b>503-263-0703</b>
7. PVPO NUMBER  <b>200500060</b>		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES ☐ NO If no, give name of country

b. If original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership. (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

**Pure Seed Testing, Inc. has licensed Penneagle II to the Penncross Bentgrass Growers Association.**

#### PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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